

THE HONORABLE MARSHA J. PECHMAN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

Huong Hoang, an individual

Plaintiff,

V.

Amazon.com, Inc., et al.,

## Defendants.

No. 2:11-CV-01709-MJP

**STIPULATION AND [PROPOSED] ORDER REGARDING EXCLUDED WITNESSES**

## **STIPULATION**

WHEREAS Defendants Amazon.com, Inc. and IMDb.com, Inc. (“Defendants”) have issued or intend to issue deposition subpoenas, pursuant to Federal Rule of Civil Procedure 45, to the following third parties: Jenny Bosby, Jean-Marc Carre, Greg Carter, Blaine Cotton, Duncan Crabtree-Ireland, Keith Kjornes, Rob Lewine, Jalene Mack, Alan Mayer, John Robertson, Laura Walsh, and George Young;

WHEREAS Plaintiff Huong Hoang (“Plaintiff”) has represented to Defendants that she does not intend to present testimony from any of the above-listed third parties in this matter; and

WHEREAS Plaintiff and Defendants (the “Parties”) wish to avoid the unnecessary time and expense of depositions of the above-listed third parties;

NOW, THEREFORE the Parties hereby stipulate as follows:

STIPULATION AND [PROPOSED] ORDER  
REGARDING EXCLUDED WITNESSES  
(No.2:11-CV-01709) – 1

24976-0480/LEGAL24195892.1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

1       1. No Party shall seek the deposition of or present testimony, including but not  
 2 limited to live testimony in open court, written declaration or affidavit, or any other form of  
 3 testimony, from the following third parties (the “Excluded Witnesses”):  
 4  
 5

6           Jenny Bosby, Pastorini Bosby Talent, Inc.;  
 7           Jean-Marc Carre, Central Artists;  
 8           Greg Carter, Filmmaker;  
 9           Blaine Cotton, Central Artists;  
 10          Duncan Crabtree-Ireland, Screen Actor’s Guild-American Federation of  
 11           Television and Radio Artists;  
 12          Keith Kjornes, Webmaster;  
 13          Rob Lewine, Photographer;  
 14          Jalene Mack, Attorney;  
 15          Alan Mayer, 42West;  
 16          John Robertson, DDO Artist Agency;  
 17          Laura Walsh, Central Artists; and  
 18          George Young, Consultant, Kalypso.

19       This prohibition applies to testimony presented at trial and presented in support of or opposition  
 20 to written motions. This prohibition also applies to the Declaration of Duncan Crabtree-Ireland  
 21 in Support of Plaintiff’s Opposition to Defendants’ Motion to Dismiss Pursuant to Rule 10(a)  
 22 and Cross-Motion to Proceed Anonymously, filed November 28, 2011, Dkt. 26.

23       2. Testimony, including but not limited to live testimony in open court, written  
 24 declaration or affidavit, or any other form of testimony, from the Excluded Witnesses shall be  
 25 deemed inadmissible for any purpose.

26       3. The documents identified by Bates numbers Hoang 000027 and Hoang 000073  
 27 shall be deemed inadmissible for any purpose.

28       4. No later than July 24, 2012, Plaintiff will amend Plaintiff’s Second Supplemental  
 29 Objections and Responses to Defendants’ Interrogatories and Requests for Production to  
 30  
 31

32       **STIPULATION AND [PROPOSED] ORDER  
 33 REGARDING EXCLUDED WITNESSES  
 34 (No.2:11-CV-01709) – 2**

35       24976-0480/LEGAL24195892.1

36       **Perkins Coie LLP**  
 37       1201 Third Avenue, Suite 4800  
 38       Seattle, WA 98101-3099  
 39       Phone: 206.359.8000  
 40       Fax: 206.359.9000

Plaintiff, Interrogatory No. 6, such that it removes the following witnesses as individuals who have knowledge of her alleged damages:

Greg Carter, Filmmaker;  
Jalene Mack, Attorney; and  
George Young, Consultant, Kalypso.

## IT IS SO STIPULATED.

DATED: July 24, 2012

## PERKINS COIE LLP

By: /s/ Ashley A. Locke  
Ashley A. Locke, WSBA No. 40521

Attorneys for Defendants Amazon.com, Inc. and  
IMDb.com, Inc.

DATED: July 24, 2012

## **DOZIER INTERNET LAW, P.C.**

By: /s/ John Dozier  
John W. Dozier, Jr., VSB No. 20559  
jwd@cybertriallawyer.com

## NEWMAN DU WORS LLP

Derek A. Newman, Esq., WSBA No. 26967  
Randall Moeller, Esq., WSBA No. 21094  
randy@newmanlaw.com  
derek@newmanlaw.com

Attorneys for Plaintiff Huong Hoang

STIPULATION AND [PROPOSED] ORDER  
REGARDING EXCLUDED WITNESSES  
(No.2:11-CV-01709) – 3

24976-0480/LEGAL24195892.1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

1  
2  
3  
**ORDER**  
4  
5  
6

7 **IT IS SO ORDERED.**  
8  
9

10 DATED this \_\_\_\_ day of \_\_\_\_\_, 2012.  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51

---

Marsha J. Pechman  
United States District Court

STIPULATION AND [PROPOSED] ORDER  
REGARDING EXCLUDED WITNESSES  
(No.2:11-CV-01709) – 4

24976-0480/LEGAL24195892.1

Perkins Coie LLP  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000

## **CERTIFICATE OF SERVICE**

I certify that on July 24, 2012, I electronically filed the foregoing **STIPULATION AND [PROPOSED] ORDER REGARDING EXCLUDED WITNESSES** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following attorneys of record

**John W. Dozier, Jr.**  
Dozier Internet Law, P.C.  
11520 Nuckols Rd., Ste 101  
Glen Allen, VA 23059

- Via hand delivery
- Via U.S. Mail, 1st Class, Postage Prepaid
- Via Overnight Delivery
- Via Facsimile
- Via Email
- Via ECF

**Randall Moeller**  
**Derek Alan Newman**  
Newman Du Wors LLP  
1201 Third Avenue, Ste 1600  
Seattle, WA 98101

- Via hand delivery
- Via U.S. Mail, 1st Class, Postage Prepaid
- Via Overnight Delivery
- Via Facsimile
- Via Email
- Via ECF

I certify under penalty of perjury that the foregoing is true and correct.

DATED this 24th day of July, 2012.

/s/ Ashley A. Locke  
Ashley A. Locke, WSBA No. 40521  
**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Telephone: 206.359.8000  
Facsimile: 206.359.9000  
E-mail: [emcdougall@perkinscoie.com](mailto:emcdougall@perkinscoie.com)  
E-mail: [broos@perkinscoie.com](mailto:broos@perkinscoie.com)  
E-mail: [alocke@perkinscoie.com](mailto:alocke@perkinscoie.com)

Attorneys for Defendants Amazon.com, Inc.  
and IMDb.com, Inc.

STIPULATION AND [PROPOSED] ORDER  
REGARDING EXCLUDED WITNESSES  
(No. 2:11-CV-01709) - 5

24976-0480/LEGAL24195892.1

**Perkins Coie LLP**  
1201 Third Avenue, Suite 4800  
Seattle, WA 98101-3099  
Phone: 206.359.8000  
Fax: 206.359.9000